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IMPLEMENTATION OF THE DECLARATION ON THE ELIMINATION OF ALL FORMS OF INTOLERANCE AND OF DISCRIMINATION BASED ON RELIGION OR BELIEF

Written statement submitted by the International Federation of Human Rights Leagues, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[28 February 1997]

1. The International Federation of Human Rights Leagues (FIDH) is very concerned by the serious obstacles in the implementation of the Declaration on the Elimination of all Forms of Intolerance and of Discrimination Based on Religion or Belief in many regions of the world.

2. In this respect, the FIDH and the Vietnam Committee on Human Rights are deeply concerned by the policy of religious intolerance pursued by the Government of the Socialist Republic of Viet Nam, especially in regard to the Unified Buddhist Church of Viet Nam (UBCV). The organizations regret that, whereas the Vietnamese official press expresses increasing alarm about the drop in moral standards following economic "renovation", and the ensuing rise in juvenile crime, delinquency, drug addiction and corruption in Viet Nam, the Government excludes Buddhism from the effort to combat these alarming trends. Buddhist philosophy, based on tolerance and compassion, lays stress on the elimination of ignorance, the extinction of suffering, and active engagement for social justice and the protection of human rights. Given its wide-based popular following in Viet Nam (80 per cent of the population), Buddhism could greatly contribute to the harmonious development of Vietnamese society.

3. Although the organizations note the release of a number of UBCV monks, i.e. Venerables Thich Hai Tang (secular name Nguyen Dinh Hoa), Thich Hai Thinh (Le Phu Thinh), Thich Hai Chanh (Nguyen Chon Tam) and Thich Hanh Duc (Vo Hanh Duc), there has been no relaxation of religious repression. On the contrary, these monks, who had all virtually completed their prison sentences, continue to be subjected to severe restrictions in violation of article 70 of the Constitution. Issued with a mere "exit paper" (Giay Ra Trai) in lieu of a regular release certificate, the monks have all been prohibited from returning to their pagodas and resuming their religious functions. Thich Hanh Duc, superior monk of Son Linh pagoda, Ba Ria, was banned from his pagoda after his release in July 1996. In a letter to Prime Minister Vo Van Kiet (4 September 1996), he protested that the provincial authorities had confiscated Son Linh, which he had built himself, and its collection of religious books, worth over 100 million dongs (US$ 9,000). His letter has not yet received any reply. Thich Hai Tang, released on 5 December 1996, was forbidden to return to his residence at Linh Mu pagoda, Hue. He is now in Quang Tri province. Two other UBCV monks, Thich Hai Thinh and Thich Hai Chanh, ordered to go "home" after being released respectively on 5 March 1996 and 30 April 1995, went back to Linh Mu pagoda, which is the address on their residence permits as well as their "home" under the 25-centuries-old Buddhist tradition by which monks must live at the pagoda and break off all worldly and family links. However, on 22 November 1996, more than 200 security police broke into Linh Mu pagoda, arrested the two monks on charges of illegal residence and forced them to return to their native villages where they are now under house arrest. These measures are part of a concerted campaign to suppress the independent UBCV. After attempting to break Buddhist dissent by imprisoning UBCV leaders and followers, the authorities are now attacking the whole UBCV structure by taking control of its pagodas, which are the very centres of Buddhist religious life. This violates article 6 (a) of the Declaration.

4. Linh Mu pagoda, one of the most active centres of Buddhist dissent, was placed under government control after the police raid on 22 November 1996 and declared out of bounds to UBCV monks due to its classification as a "national

heritage site". Other examples are Thich Hanh Duc's pagoda, Son Linh, quoted above, and Long Tho pagoda in Dalat, where police expelled 34 monks and nuns and arrested its superior monk, Thich Minh Dao (Truong Thanh Tam) on 30 October 1996 on charges of "superstitious practices entailing serious consequences" (art. 199 of the Criminal Code), before completely destroying the pagoda on 11 November 1996. Thich Tu Man, President of the Executive Committee of the State-sponsored Viet Nam Buddhist Church (VBC) in Lam Dong province and his deputy, Thich Tam Thanh, were made to sign an official declaration (ref. 59/BC-BTS, 24 October 1996) justifying these arrests in Dalat. But immediately afterwards, they resigned to protest government interference in religious affairs and demonstrated their refusal to be used as instruments to justify government repression of the UBCV. Previously, under orders from Vu Quang, head of the Government Board of Religious Affairs (ref. 01-TT/TGCP, 3 March 1995), Thich Tu Man had been forced to sign a letter (No. 99-BC-BTS, 12 August 1995) ordering the dissolution of the Buddhist Youth Movement (Gia Dinh Phat Tu), a scout-inspired educational organization founded 50 years ago, which now has a nationwide membership of more than 300,000 young Buddhists aged 6-18. The decision to disband this independent movement and bring it under the control of the State-sponsored "Buddhist Boys and Girls" organization was confirmed at the fifth session of the VBC meeting on 13 January 1997. The abolition of this movement is inconsistent with the right of parents to choose their children's education (art. 5 of the Declaration). It also deprives children of badly needed educational facilities at a time when State funding is chronically lacking. The VBC in Ho Chi Minh City issued further restrictive measures in 1997 by banning Theravada monks (Bhikkhus) from performing their alms-rounds, allegedly because of an increasing number of bogus monk-beggars. Ostensibly a measure of public order, this ban strikes one of the fundamental Theravada traditions dating back to the origins of Buddhism, i.e. that monks must only eat food offered as alms by the people (they never beg for money). In fact, the ban is aimed at depriving Buddhism of its popular base by cutting it off from the ordinary people, yet another step in the Government's campaign to suppress Buddhism in Viet Nam.

5. The FIDH and the Vietnam Committee are also deeply concerned by the continued arbitrary arrest and detention of UBCV dignitaries solely for the peaceful expression of their religious beliefs. UBCV Patriarch Thich Huyen Quang (Le Dinh Nhan) has been in detention without charge for the past 15 years. First held under house arrest, he is now detained in Nghia Hanh village, Quang Ngai province. The authorities have forbidden him to make any public declarations, either written or oral, for the next two years. UBCV Secretary-General Thich Quang Do (Dang Phuc Tue) was convicted on 15 August 1995 of "taking advantage of democratic freedoms to harm the interests of the State" and sentenced to five years' imprisonment because he wrote a letter to the Government, sent two faxes overseas and supported a UBCV relief mission for flood victims in the Mekong Delta. He is now detained in Camp B14 (near Thanh Xuan Bac village, 10 km west of Hanoi), one of Viet Nam's harshest prisons. Eminent Buddhist scholars Thich Tue Sy (Pham Van Thuong) and Thich Tri Sieu (Le Manh That) were arrested in 1984 and condemned to death in September 1988 for "anti-governmental activities". Their sentence was commuted to 20 years following a campaign launched by the Vietnam Committee on Human Rights. Both are in very poor health. They suffer from malnutrition, and have been subjected to abuse. Thich Tue Sy was sent to Ba Sa camp, Nam Ha

province, in punishment for petitioning to meet Mr. Louis Joinet, Chairman of the United Nations Working Group on Arbitrary Detention, who visited prisons in Viet Nam in 1994. Thich Tri Sieu has been detained in a solitary confinement cell since he demonstrated with other prisoners for improved detention conditions and human rights in Long Khanh K2 camp (Z30A), Dong Nai province, on 15-18 November 1995.

6. The FIDH and the Vietnam Committee are also disturbed by recent religious repression against the Cao Dai community. In accordance with Communication 34 issued by the Vietnamese Communist Party Central Secretariat, a "Plan" (No. 01/KH/TU, 27 May 1996) was established to dismantle the traditional Tay Ninh Cao Dai Church, considered by the Party to be the most "dangerous" Cao Dai sect, and replace it with a State-sponsored body from which current Cao Dai leaders would be banned. An 11-member committee of Party members and security officials was appointed to implement the "Plan" (Decision 42/QD/TU, 29 May 1996), which was to be completed between June and September 1996. The Plan also prohibited traditional Cao Dai practices (i.e. spiritualist seances at the Tay Ninh Holy See), and called for the "elimination of malevolent and extremist elements". As a result, Cao Dai priests Thuong Thien Thanh and Nguyen Van Giam, and lay-followers Vo Thanh Liem, Duong Xuan Luong, Tran Van Khoa and Huynh Van Thang were arrested on 26 June 1996 and another lay-follower, Cao Si Dung, was arrested on 21 September 1996.

7. Although an outward facade of religious freedom is respected in Viet Nam, an underlying policy of hostility is applied to all religious communities alike. In spite of its formal agreements with the Vatican, the Vietnamese Government continues to block the appointment of Roman Catholic bishops (in Nha Trang, Buon Ma Thuot and the archdiocese of Ho Chi Minh City), demonstrating an unwillingness to dialogue similar to the hard-line religious policies practised in China.

8. The FIDH and the Vietnam Committee call on the Commission on Human Rights to take urgent action to stem religious intolerance and prevent the extinction of religious communities in Viet Nam.